

Application No.: 10/565,122

Attorney Docket No. 12400-059

**II. Remarks**

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein requested.

Claims 1 through 21 stand rejected, and claims 1, 6, 7, and 12 are being amended. Accordingly, after entering this amendment, claims 1 through 21 remain pending.

***Rejections under 35 USC § 112***

Claims 6, 7, and 12 were rejected under 35 USC § 112, second paragraph, as being unclear on the basis that there are no definition for the "A", "B", and "C" posts. These claims have been amended for clarity. Applicant further notes that "A", "B", and "C" posts (or pillars) are terms of art commonly known in the automotive industry. An "A" posts is located on each side of the windshield, a "B" post is located on each side of the vehicle generally near the back support of the front seats, and a "C" post is located on each side of the rear window. Accordingly, it is believed that this rejection is now moot and should be withdrawn.

***Further Clarification of the Claims***

Prior to discussing the rejections and the references, it is believed that a brief discussion on the current form of the independent claims of this application is warranted. The original independent claim (claim 1) of this application have been amended to clarify, more particularly to point out and distinctly claim that which Applicant regards as the subject matter of the present invention. As amended, claim 1 now requires that *only* two sensors are mounted on opposite sides of the vehicle at

Application No.: 10/565,122

Attorney Docket No. 12400-059

a first longitudinal position. Accordingly, there can only be one sensor on each side of the vehicle at this first longitudinal position.

*Rejections under 35 USC §102*

Claims 1-21 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,995,892 issued to Kiribayashi et al. ("Kiribayashi"). Applicant respectfully traverses this rejection.

Referring to Kiribayashi, Figs. 33 and 34 show, respectively, a sensor unit (401) located on the left-hand side of a vehicle and a sensor unit (402) located on the right-hand side of the vehicle. Each sensor unit (401) and (402) includes a respective pair of acceleration sensors (411), (412) and (421), (422). As such, if both sensor units (401) and (402) are located at the same longitudinal position, then four acceleration sensors are located at this position. If the sensor units (401) and (402) are located at two different longitudinal positions, then two acceleration sensors (411) and (412) are located on the left-hand side of the vehicle at one of the longitudinal positions and two acceleration sensors (421) and (422) are located on the right-hand side of the vehicle at the other longitudinal position.

Accordingly, Kiribayashi teaches away from a crash sensor arrangement with *only* two sensors mounted on opposite sides of a vehicle at a first longitudinal position, such that only one sensor is mounted on each side of the vehicle at the first longitudinal position, as now required by amended claim 1. Since Kiribayashi does not teach each and every element now recited in amended claim 1, the rejection of claim 1 under 35 U.S.C. under § 102 should be accordingly withdrawn.

Further, since claims 2 through 21 depend from claim 1, directly or indirectly, the reasons for allowance of claim 1 apply to its dependent claims as well.

Application No.: 10/565,122

Attorney Docket No. 12400-059

Accordingly, favorable reconsideration of the rejection under 35 U.S.C. under § 102 of claim 1, as well as its dependent claims 2 through 21, is respectfully requested.

*Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 1 through 21) are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested. The Examiner is invited to contact the undersigned attorney for the Applicant if such communication would expedite this application.

April 13, 2009  
Date

Respectfully submitted,

  
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